

85<sup>th</sup> Legislative Session – 2010

Committee: Senate Commerce

Thursday, February 04, 2010

P - Present  
E - Excused  
A - Absent

Roll Call

P Adelstein  
P Gant  
P Merchant  
P Nelson, Vice-Chair  
P Nesselhuf  
P Turbak Berry  
P Olson (Russell), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Russell Olson.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 1, 2010

Moved by: Gant  
Second by: Merchant  
Action: Prevailed by voice vote.

SB 117: designate the kolache as the official state pastry.

THE CHAIR DEFERRED SB 117 UNTIL TUESDAY, FEBRUARY 9, 2010

SB 97: provide that salvage titles be issued for stolen vehicles and to provide that thefts be noted on the title of recovered motor vehicles.

Presented by: Senator Bob Gray  
Proponents: Dick Tieszen, State Farm Insurance  
Debra Hillmer, Director-Division of Motor Vehicles  
Myron Rau, SD Auto Dealer's Association

Bob Riter Jr., SD Independent Auto Dealers  
David Nauman, SD Motor Vehicle Recyclers Association

MOTION: AMEND SB 97

97ja

On page 2, line 3, of the printed bill, after "damage" insert "disclosure notation pursuant to § 32-3-51.8".

On page 2, line 6, delete "with damage".

Moved by: Turbak Berry  
Second by: Adelstein  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 97 AS AMENDED

Moved by: Adelstein  
Second by: Gant  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Gant, Merchant, Nelson, Nesselhuf, Turbak Berry, Olson (Russell)

MOTION: PLACE SB 97 ON CONSENT CALENDAR

Moved by: Turbak Berry  
Second by: Gant  
Action: Prevailed by voice vote.

SB 116: require that certain insurers provide notice by certified or registered mail under certain circumstances.

Presented by: Senator Frank Kloucek (Handout: 1)  
Proponents: Dean Nasser, Jr , self, Sioux Falls (testimony by phone)  
Opponents: Randy Moses, Division of Insurance  
Darla Pollman-Rogers, Wellmark Blue Cross Blue Shield of SD and America's  
Health Insurance Plans  
Dennis Duncan, Dakotacare

MOTION: DO PASS SB 116

Moved by: Adelstein  
Second by: Merchant  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 116 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Gant  
Second by: Nelson  
Action: Failed by roll call vote. (3-4-0-0)

Voting Yes: Gant, Nelson, Olson (Russell)

Voting No: Adelstein, Merchant, Nesselhuf, Turbak Berry

MOTION: SUBSTITUTE MOTION DEFER SB 116 UNTIL TUESDAY, FEBRUARY 9, 2010

Moved by: Merchant  
Second by: Gant  
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Adelstein, Gant, Merchant, Nesselhuf, Turbak Berry, Olson (Russell)

Voting No: Nelson

SB 119: permit an auctioneer to offer an opinion regarding the value of property.

Presented by: Senator Margaret Gillespie (Handout 2)  
Proponents: Tom Souvignier, self, Canton  
Opponents: Craig Steinley, Professional Appraisers Association  
James Dunlap, SD Chapter ASFMRA  
Amy Frink, self, Aberdeen

THE CHAIR DEFERRED SB 119 UNTIL TUESDAY, FEBRUARY 9, 2010

SB 125: revise certain provisions relating to violations associated with the statewide one-call notification system.

Presented by: Senator Margaret Gillespie  
Opponents: Larry Janes, SD One Call

THE CHAIR DEFERRED SB 125 UNTIL TUESDAY, FEBRUARY 9, 2010

SB 90: provide an exception from one-call notification requirements to natural gas operators in emergency situations.

Proponents: Larry Janes, SD One Call

THE CHAIR DEFERRED SB 90 UNTIL TUESDAY, FEBRUARY 9, 2010

MOTION: ADJOURN

Moved by: Nesselhuf

Second by: Gant

Action: Prevailed by voice vote.

Lois Henry  
Committee Secretary

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Russell Olson, Chair